



August 21, 2018

Cesar Perales, Chair  
New York City Charter Revision Commission  
1 Centre Street  
New York, NY 10007

Dear Chair Perales:

We write to express serious concerns with the August 14, 2018 Resolution adopted by the New York City Charter Revision Commission (“2018 Commission”) instructing staff to draft ballot proposals. We see a substantial likelihood that some of these proposals relating to community boards and community engagement will have unintended negative consequences on community participation and engagement, especially in the land use context. The hasty adoption of these proposals following an abbreviated Charter Revision Commission process and little to no public review or discussion of draft charter amendments would be reckless and unwise.

First, in the area of community boards: perhaps the single most important function of community boards is their role in the land use context. To adequately fulfill this role, volunteer community board members who take leadership roles in the land use process are required to develop an expertise that generally comes from years of experience serving on their boards. To impose term limits on these members serves only to further empower real estate developers and the lobbyists and technical advisors who appear on their behalf before the community boards.

You need only attend a handful of community board land use committee meetings to see that developers staff their large projects with experienced lobbyists, architects, environmental experts and land use lawyers. Even the most dedicated volunteers could not amass sufficient expertise in a few years of part-time service to participate fully as sophisticated advocates for their communities in high-level technical discussions related to complex land use matters. Forcing a mandatory “brain drain” on our community boards can only weaken their ability to serve as advocates for neighborhood concerns in the development process.

Second, the 2018 Commission’s resolution calls for the preparation of a proposal for a Civic Engagement Commission to “provid[e] technical assistance services, including urban planning and other resources to community boards, as set forth in the community boards portion of this resolution.” This is duplicative of Charter section 82 which makes it a power and duty of each Borough President to “[p]rovide... technical assistance to the members of community boards within the borough.”

In the land use context this raises serious unanswered questions. Open questions created by this proposal include:

- Who will decide when urban planners are needed to assist community boards?
- Who will select the urban planners and decide if the expertise they possess and their views on development, affordable housing and other significant areas are consistent with those of the communities and community boards they serve?
- How will they be selected and assigned, and to whom will they be ultimately accountable?

To give an ostensibly unpaid, unelected Commission, whose makeup is unclear, the ability to -- in any way -- control staff or consultants assisting with the community boards' most important, sophisticated, and sensitive work would likely weaken boards' accountability and responsiveness to their own members and the communities they represent.

The interplay between the role of this Commission, the Borough Presidents, the Council Members who nominate half of the community board members, and the community boards themselves are not addressed. Even if the staff to the 2018 Commission were able to address this in its proposals, to place this on the ballot without having heard public responses to how your Commission's staff chose to address these critical questions would be haphazard and reckless treatment of an important and sensitive issue with wide-ranging impacts. Moreover, the risk of unintended consequences that would actually weaken the role of community boards in the land use context is too great.

The reporting requirements on Borough President recruitment and appointment of community board members and consistent guidelines for community board applications are worthy ideas. We believe that additional sunlight on government processes such as appointments to community boards is the most appropriate means of strengthening the process and increasing accountability. We would urge that our offices be consulted as your staff crafts proposed requirements in more detail.

Time draws short, and given the 2018 Commission's mandate to put proposals on the 2018 general election ballot, it seems unlikely that there will be much time set aside for public review of these proposals' specifics or the proposed charter amendment language. For questions as complex with as potentially far-reaching an impact as those of community board term limits and the role of this proposed Civic Engagement Commission in community board staffing, it would be wiser to reconsider these proposals rather than rushing to send them to voters without thorough review of the specifics.

Sincerely,



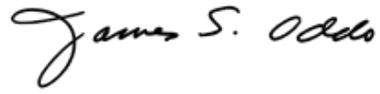
Gale A. Brewer  
Manhattan Borough President



Ruben Diaz, Jr.  
Bronx Borough President

A handwritten signature in black ink, appearing to read "Melinda Katz", with a long horizontal flourish extending to the right.

Melinda Katz  
Queens Borough President

A handwritten signature in black ink, appearing to read "James S. Oddo", written in a cursive style.

James Oddo  
Staten Island Borough President